

IN THE DISTRICT COURT OF THE ^ JUDICIAL DISTRICT OF

THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ^

^,)	
)	
Plaintiff,)	Case No. CV^
)	
vs.)	
)	ORDER FOR APPOINTMENT
^,)	OF PARENTING COORDINATOR
)	
Defendant.)	
_____)	

^ is hereby appointed as parenting coordinator to ensure that this court's orders are carried out. This appointment is made ☐ by stipulation of the parties or ☐ from the registry of parenting coordinators maintained by the Idaho Supreme Court.

Pursuant to Rule 16l(2), I.R.C.P. the court finds:

☐ the issues appear to be intractable or have been subject to frequent re-litigation; or

☐ the well-being of a minor child is placed at risk by the parents' inability to co-parent civilly; or

☐ one or both parents has committed domestic violence; or

☐ one or both parents is chemically dependent or mentally ill; or

☐ other exceptional circumstances require such appointment to protect the child's best interests. Those circumstances are: ^

Each party's counsel is ordered to contact the parenting coordinator at ^, telephone number (208) ^ within five days of their receipt of this Order so that the parenting coordinator may immediately begin to familiarize him/herself with this case.

Concurrently with this Order this Court will send to the parenting coordinator copies of the following:

- 1) ^
- 2) ^

1. The parenting schedule set forth in the decree or the most recent order modifying the decree shall continue as currently ordered until or unless hereinafter modified by the court. The parenting coordinator may authorize the parties to make minor, temporary departures from the parenting plan ordered by the court. Subject to judicial review pursuant to Rule 16(l), I.R.C.P., or entry of any subsequent order of this court modifying the matters referred to the parenting coordinator or his powers the parenting coordinator shall have the general power to do the following:

- a. time, place and manner of pick up and delivery of the children;
- b. child care arrangements;
- c. minor alterations in parenting schedule with respect to weeknight, weekend or holiday visitation that do not substantially alter the basic time share allocation;
- d. participation by significant others and relatives in visitation;
- e. first and last dates for summer visitation;
- f. schedule and conditions of telephone communication with the children;
- g. manner and methods by which the parties may communicate with each other;
- h. approval of out-of-state travel plans; and

i. any other issues submitted for immediate determination by agreement of the parties.

2. Proposed orders of the parenting coordinator shall become effective immediately upon the signature of the parenting coordinator. Either party may file a motion to set aside an order within 14 days of filing of the parenting coordinator order. If the time period passes without challenge, the parenting coordinator's recommendation and/or order shall automatically remain the court's order. Upon the entry of any recommendation or order, said recommendation or order will be reduced to writing and forwarded to the court clerk for filing in the court file.

3. By way of illustration and not limitation the parenting coordinator may make recommendations to the court on such matters as:

- a. Which parent may authorize counseling or treatment for a child;
- b. Which parent may select a school;
- c. Supervision of visitation;
- d. Submission to a custody evaluation;
- e. Appointment of an attorney or guardian ad litem for a child; and
- f. Financial matters including child support, health insurance, allocation of dependency exemptions and other tax benefits, liability for particular expenditures for a child.

Recommendations made under this paragraph will be effective 14 days after submission to the court, unless either party objects to the recommendation, in which case the recommendation will take effect on such terms as may be ordered by the court after hearing the objection.

4. The parenting coordinator shall have the following rights:
 - a) Reasonable access to the child/ren with adequate notice.
 - b) Notice of any proceedings, including any requests for examination affecting the child/ren.
 - c) Veto power over any proposed physical or psychological examination of the child/ren.
 - d) Access to any therapist of either party or of the child/ren together with a release of all confidential information.
 - e) Access to the child/ren's school records and medical records.
 - f) Access to any psychological testing or test results performed on any child or parent.
 - g) Access to the parents' medical and counseling/therapist records.
 - h) Access to teachers and school counselors of the child/ren.
 - i) Discretion to interview the parties, their attorneys, and the child/ren in any combination or ex-parte
5. The parties and their attorneys do not have a reciprocal right to ex-parte communication with the parenting coordinator, other than to set up the original first contact.
6. If the parenting coordinator determines that a counselor for the child/ren would be of assistance, the parenting coordinator may designate such a counselor. Counseling costs shall be divided between the parties in the manner of any other medical expense. The parties shall ensure that the parenting coordinator and the counselor have reasonable access to the child/ren. Neither party shall monitor communications between the child/ren and the parenting coordinator or counselor. The counselor is expected, and authorized to freely communicate to the parenting coordinator his/her impressions,

diagnosis, recommendations and other relevant matter concerning the best interest of the child/ren.

7. If the parenting coordinator determines that a parent would benefit from counseling, the parenting coordinator may require such counseling. Failure of a parent to engage in such counseling in good faith may result in modifications to the parenting schedule by the court. Any counselor for a parent, whether or not such counseling comes about by requirement of the parenting coordinator, shall be provided releases such that the counselor can freely communicate to the parenting coordinator his/her impressions, diagnosis, recommendations, or other relevant matters concerning the parent and the best interest of the child/ren.

8. The parties will assert no claims of privilege as to matters communicated to and with the involved therapist, which would prohibit consultation between the therapist and the parenting coordinator; however, such communication shall not preclude the assertion of privilege in any proceeding before this court. The parties will execute special and limited releases as necessary to effectuate the provisions of this paragraph. In future court proceedings, matters disclosed to the parenting coordinator, the child/ren's counselor, or to any other therapist, shall be privileged to the extent otherwise established by law or rule of court.

9. Counsel for the parties shall assist the parenting coordinator in addressing legal issues that may be from time to time presented (as for instance, child support calculations), but such duties shall not preclude counsel from representing his/her client should additional proceedings occur in this court.

10. Statements made by a party and other information supplied in the course of proceedings before the parenting coordinator are not privileged. The parenting coordinator may be called to testify for or against either party or as the court's witness in subsequent court proceedings, and may be cross-examined by either party.

11. Either party, or an attorney acting on behalf of a child of the parties, may apply to the court by motion for termination of the appointment of the parenting coordinator.

12. Proceedings before the parenting coordinator may be initiated by the parenting coordinator or at the request of either party or their attorneys. Where presence of a party's attorney or counselor is requested by the parenting coordinator it is the responsibility of the parties to arrange such presence. The parenting coordinator may not rule upon the admissibility of evidence and will not have authority to put witnesses under oath or examine them, or the parties, under oath. The parenting coordinator need not make a record of information presented and has no authority to compel or procure the attendance of witnesses before the parenting coordinator.

13. The parenting coordinator or his/her temporary substitute shall have the same immunity from suit as any Judge or Magistrate in the state of Idaho.

14. Counsel for the mother and/or father shall notify the court within five calendar days if the person appointed as parenting coordinator declines the appointment or gives notice of withdrawal as the parenting coordinator. The court will immediately make another appointment.

15. Any pleading filed by either party with the court shall also be served upon the parenting coordinator as required by the Idaho Rules of Civil Procedure. Each party

is responsible for paying 50% of the cost of the parenting coordinators services. Each party is ordered to pay their share of the parenting coordinators services within 30 days of the billing. Any failure to timely pay the parenting coordinator shall be reported to the court and will constitute grounds for contempt sanctions or a change in custody.

16. If either party objects to the parenting coordinator's fees, an objection may be filed with the court within 14 days of receiving the bill. If an objection is timely filed, hearing before the court will be held. Neither party is liable for fees of the parenting coordinator in appearing at the hearing.

17. If any party wishes the parenting coordinator to testify at a hearing other than to give a report on findings the party will be required to apply to the court for an order requiring the parenting coordinator to testify and to deposit in advance, the amount of his/her reasonable fees to cover the hourly rate of the parenting coordinator to travel to and from the hearing and to appear at the hearing.

18. The parenting coordinator, after notice of the parties, may apply to the court to expand or limit his responsibilities.

19. The parenting coordinator shall submit at least one status report to the court every six months.

20. This order shall remain in effect unless otherwise modified or terminated by the court.

Dated this _____ day of ^ 20^^.

^

Magistrate Judge

CLERK'S CERTIFICATE OF MAILING

I ^ hereby certify that on this _____ day of ^ 20^^, I mailed (served) a true and correct copy of the foregoing instrument to:

^

^

Clerk of the District Court
^ County, Idaho

By: _____
Deputy Clerk